

FILED

JUN 19 2006

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 2 United States Attorney

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 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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8 Attorneys for Plaintiff

10 UNITED STATES MAGISTRATE COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13	UNITED STATES OF AMERICA,)	No.	3 05 70544
14	Plaintiff,)	[PROPOSED] ORDER AND	
15	v.)	STIPULATION FOR CONTINUANCE	
16	CHRISTINE CARPENTER,)	FROM JUNE 1, 2006 TO JUNE 29, 2006	
17	Defendant.)	AND EXCLUDING TIME FROM THE	
			SPEEDY TRIAL ACT CALCULATION	
			(18 U.S.C. § 3161(h)(8)(A)) AND	
			WAIVING TIME LIMITS UNDER RULE	
			5.1	

18
 19 With the agreement of the parties, and with the consent of the defendant, the Court enters
 20 this order scheduling an arraignment or preliminary hearing date of June 29, 2006 at 9:30A.M.
 21 before the duty magistrate judge, and documenting the defendant's waiver of the preliminary
 22 hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the
 23 Speedy Trial Act, 18 U.S.C. § 3161(b), from June 1, 2006 to June 29, 2006. The parties agree,
 24 and the Court finds and holds, as follows:

- 25 1. The defendant has been released on her own recognizance.
- 26 2. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
- 27 3161(h)(8)(B)(iv) to provide continuity of counsel and reasonable time necessary for effective
- 28 preparation, taking into account the exercise of due diligence.

1 3. The defendant waives the time limits of Federal Rule of Criminal Procedure 5.1 for
2 preliminary hearing.

3 4. Counsel for the defense believes that postponing the preliminary hearing is in his
4 client's best interest, and that it is not in his client's interest for the United States to indict the
5 case during the normal 20-day timeline established in Rule 5.1.

6 5. The Court finds that, taking into the account the public interest in the prompt
7 disposition of criminal cases, these grounds are good cause for extending the time limits for a
8 preliminary hearing under Federal Rule of Criminal Procedure 5.1. Given these circumstances,
9 the Court finds that the ends of justice served by excluding the period from June 1, 2006 to June
10 29, 2006 outweigh the best interest of the public and the defendant in a speedy trial. §
11 3161(h)(8)(A).

12 6. Accordingly, and with the consent of the defendant, the Court (1) sets a preliminary
13 hearing date before the duty magistrate judge on June 29, 2006 at 9:30A.M., and (2) orders that
14 the period from June 1, 2006 to June 29, 2006 be excluded from the time period for preliminary
15 hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations
16 under 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

17
18 IT IS SO STIPULATED:

19
20 DATED: May 31, 2006

/s _____
RON TYLER
Attorney for Defendant

21
22 DATED: May 31, 2006

/s _____
ROBERT DAVID REES
Assistant United States Attorney

23
24 IT IS SO ORDERED.

25
26 DATED: June 19 2006

HON. MARIA-ELENA JAMES
United States Magistrate Judge